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*Special Counsel for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MADOFF FAMILY LLC, THE ESTATE OF  
MARK D. MADOFF, ANDREW H. MADOFF, as  
Executor of the Estate of Mark D. Madoff, THE  
ESTATE OF ANDREW H. MADOFF and MARTIN  
FLUMENBAUM, solely in his capacity as Executor  
of the Estate of Andrew H. Madoff.

Defendants.

Adv. Pro. No. 10-03485 (SMB)

**NOTICE OF VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING**

**PLEASE TAKE NOTICE** that Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel Windels Marx Lane & Mittendorf, LLP, and pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure (making Rule 41 of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses the above-captioned adversary proceeding with prejudice.

On July 24, 2017, the Court entered an order pursuant to Section 105(A) of the Bankruptcy Code and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure approving a settlement resolving this matter. Pursuant to Bankruptcy Rule 7041, the Trustee is permitted to voluntarily dismiss the adversary proceeding without further order of the Court by filing this Notice of Voluntary Dismissal as, as of the date hereof, the opposing parties have served neither an answer nor a motion for summary judgment.

Dated: New York, New York  
September 8, 2017

By: /s/ Howard L. Simon  
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